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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/771,240	01/26/2001	Amit Kumar Sarkhel	EN995038US5	6976

7590 10/03/2003

EUGENE LIEBERSTEIN
ANDERSON, KILL & OLICK, PC
1251 AVENUE OF THE AMERICAS
NEW YORK, NY 10020-1182

EXAMINER

IP, SIKYIN

ART UNIT	PAPER NUMBER
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1742

DATE MAILED: 10/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.

EXAMINER	
ART UNIT	PAPER NUMBER
	12

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Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

The Appeal Brief filed July 3, 2003 is defective for failure to comply with one or more provisions of 37 CFR § 1.192(c). See 1173 O.G. 36, April 11, 1995 and MPEP § 1206.


1. The brief includes a statement that claims 9, 10, 13, and 14 do not stand or fall together, but fails to present reasons in support thereof as required under 37 CFR 1.192(c)(7). MPEP § 1206. As is stated in the MPEP § 1206, 37 C.F.R § 1.192 (c-7) "Merely pointing out differences in what the claims cover (such as liquidus temperature) is not an argument as to why the claims are separately patentable."
2. The brief in "Summary of Invention" does not contain a concise explanation of the invention defined in the claims involved in the appeal, which refers to the specification by page and line number, and to the drawing, if any, by reference characters as required by 37 CFR 1.192(c)(5).

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5. Appellant is required to comply with provisions of 37 C.F.R. § 1.192(c). APPLICANT IS GIVEN A TIME LIMIT OF ONE MONTH FROM THE DATE OF THIS LETTER OR ANY TIME REMAINING IN THE PERIOD UNDER 37 CFR 1.192(a) FOR FILING A NEW COMPLETE BRIEF. If a new brief that fully complies with 37 CFR 1.192(c) is not timely submitted, the appeal will be dismissed as of the date of expiration of the period provided by 37 CFR 1.192(a). No extension of this one month time limit may be obtained under either 37 CFR 1.136(a) or (b) but the original two-month period under 37 CFR 1.192(a) for filing the brief may be extended under 37 CFR 1.136(a) up to six months from the date of the Notice of Appeal.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to S. Ip whose telephone number is (703) 308-2542. The facsimile phone number for this Art Unit is (703) 305-3602.



SIKYIN IP
PRIMARY EXAMINER
ART UNIT 1742

S. Ip
September 12, 2003